

REMARKS

By this Amendment, claims 2, 3, 4, 6, 7, 10 and 17 have been amended, and claim 1 has been cancelled. Accordingly, claims 2-4, 6-11 and 15-17 are pending in the present application.

Applicants would like to thank the Examiner for the indication of allowance of claims 2-3, 8-11 and 15-16, and the indication of allowable subject matter in claims 4, 6-7 and 17. In response, Applicants have amended claims 4, 6 and 7 to be in independent form. In addition, Applicants have corrected an inadvertent typographical error in claim 17, and have amended this claim to depend, as originally intended, from claim 2 so as not to be a duplicate of claim 7. Accordingly, indication of allowance of claims 4, 6, 7 and 17 is respectfully requested.

The objection to the drawings is noted. In response, Applicants have amended claim 10 so as to remove the recitation of "electrodes" from the claim. Accordingly, claim 10 has been broadened and does not require that the distance between the electrodes of the MEMS element be changed by the control voltage.

The objections to claims 1-3 and 10 are noted. Although claims 2, 3 and 10 were indicated as being allowed, it is Applicants' understanding that the objections to these claims noted in the Office Action needs to be addressed. Therefore, Applicants have amended allowed claims 2, 3 and 10 in accordance with the Examiner's suggestions. The amendments to claims 2, 3 and 10 do not narrow the scope of these claims from those originally filed and have not been made to define over the prior art. These amendments are merely clarifying amendments to the claim language.


With respect to the objections to claim 1, Applicants respectfully disagree with the Examiner that the term "a circuit" requires amendment. The specification fully supports this limitation and no changes are needed. In any event, Applicants have cancelled claim 1.

With the cancellation of claim 1, all prior art rejections are deemed moot.

In view of the foregoing, favorable consideration of the amendments to claims 2, 3, 4, 6, 7, 10 and 17, and allowance of the present application with claims 2-4, 6-11 and 15-17 is respectfully and earnestly solicited.

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Respectfully submitted,

By 

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